

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**DYWANE MORGAN**

**PETITIONER**

**VERSUS**

**CIVIL ACTION NO. 1:09cv613HSO-JMR**

**MISSISSIPPI DEPARTMENT OF CORRECTIONS**

**RESPONDENT**

**FINAL JUDGMENT**

This cause came on this date to be heard upon the Report and Recommendation of Chief United States Magistrate Judge John M. Roper entered on February 25, 2010 [11-1]. The Court, having adopted said Report and Recommendation as the finding of this Court by Memorandum Opinion and Order entered this date, finds that this matter should be dismissed. Accordingly,

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that, the Motion to Dismiss filed November 19, 2009, [10-1] should be and hereby is **GRANTED**, and Morgan's §2254 Petition is hereby dismissed.

**SO ORDERED AND ADJUDGED**, this the 24<sup>th</sup> day of March, 2010.

*s/ Halil Suleyman Ozerden*

HALIL SULEYMAN OZERDEN  
UNITED STATES DISTRICT JUDGE